

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

WILLIAM TILTON MERCER,	:	
	:	
Plaintiff,	:	Case No. 2:12-CV-0607
	:	
v.	:	JUDGE ALGENON L. MARBLEY
	:	
	:	
COMMISSIONER OF SOCIAL	:	
SECURITY,	:	Magistrate Judge Kemp
	:	
Defendant.	:	

OPINION AND ORDER

On June 27, 2013, the United States Magistrate Judge issued a **Report and Recommendation** in this case (Doc. 15), recommending that this Court remand the decision of the Commissioner for further consideration of the opinions articulated by plaintiff's treating physicians, in accordance with 20 C.F.R. § 404.1527(c)(2). Specifically, the Administrative Law Judge ("ALJ") must set forth reasons for giving less than controlling weight to the opinion of a treating source. If the opinion of a treating source is not deemed controlling, the ALJ must weigh that opinion in light of other factors set forth in 20 C.F.R. § 404.1527 in order to determine the proper weight to give that opinion. The parties were advised of their right to object to the Report and Recommendation and of the consequences of their failure to do so. (*Id.* at 13-14). No objection has been filed.

Since neither party has objected, and deadline for such objections elapsed on July 11, 2013, this Court **ADOPTS** the Magistrate Judge's Report and Recommendation, and **REMANDS** to the Commissioner for reconsideration in accordance with this Order.

IT IS SO ORDERED.

s/ Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT JUDGE

DATED: January 15, 2014